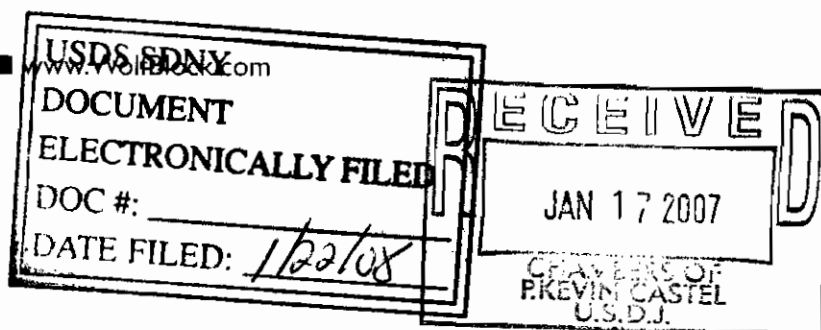


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MEMO ENDORSED

January 16, 2008

BY FEDEX

Hon. P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

Re: Bank of New York, N.A. v. First Magnus and Sullivan
07-cv-8255 (PKC)

Dear Judge Castel:

Pursuant to the court conference this morning, all counsel have agreed to the following schedule and respectfully request that you "so order" it:

- 2/8/08: Deadline to take Sullivan's jurisdictional deposition.
- 3/3/08: Deadline for Sullivan to file motion to dismiss for lack of personal jurisdiction.
- 3/17/08: Deadline for BNY to file opposition.
- 3/24/08: Deadline for Sullivan to file reply.

Thank you for your consideration.

Respectfully submitted,

Kenneth G. Roberts

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

KGR:sl

cc (by pdf): William D. Hummell, Esq.
Christopher H. Bayley, Esq.

SO ORDERED:

U.S.D.J.

NYC:755068.1

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